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EXAMINER
NOORISTANY, SULAIMAN

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>17 December 2008</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,4,5,7-11 and 20-30</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,4,5,7-11 and 20-30</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>12 December 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
            application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>12/29/2004, 12/16/2008</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Detailed Action

This Office Action is response to the application (10/733635) filed on 17, Dec 2008

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 10-11, are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims *10-11* recite "system with *controller*" which is directed at a computer program. A computer program is non-statutory because it is not considered a process, machine, manufacture, or composition of matter, or any new and useful improvement thereof. Because the claim may be directed toward a program the claim as a whole is considered non-statutory.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 1, 4-5, 8-11, 20-30 are rejected under 112, second paragraph as being indefinite for failing to particularly point and distinctly claim the subject matter which applicant regards as the invention

Claim 1, "*wherein the processing occurs in accordance with the information from the database if no user preference has been indicated for the known contact addresses,*

the user preference indicating if a request is to be forked in parallel or sequentially"

where the claim limitation is generally narrative and indefinite, failing to conform with

current U.S. practice. They appear to be a literal translation into English from a foreign

document and are replete with grammatical and idiomatic errors. However the claims

will be given a broad reasonable interpretation for the purposes of examination as best

understood.

Claims 1, 4-5, 7-11, 20-30 are rejected for similar reasons as stated for claim 1.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claims 1, 4-5, 7-11, 20-30 are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Herrero.** U.S. Patent No. **US 7,177,642** in view of **Requena** U.S Patent No. US

7028101 further in view of **Maiocco** U.S. Patent No. **US 7478151** further in view of

Ohsawa U.S Patent App. No. **US 20030018684**.

Regarding claim 1, Herrero teaches wherein a method comprising:

registering in a controller entity a plurality of contact addresses for a user **(The**

specification of SIP (RFC-2543) already allows a given user to indicate in a

registration message REGISTER multiple contact points where said user can be

contacted – Col. 4, lines 40-42; Fig. 6 – USER-1 –USER-N);

receiving a request at the controller entity for a communication link to the user **(user can receive incoming sessions (e.g.: voice calls) on his/her terminal from other users that have "dialed" the public ID -- Col. 2, lines 5-7)**;

querying (**I-CSCF**) by the control entity a database for information **(storage means containing SD of a plurality of users)** regarding a manner regarding how to handle the request **(Once said registration request REGISTER arrives to the I-CSCF, in step 3 a query is made to the HSS to determine the user registration status – Col. 10, lines 41-43)** and;

processing the request in accordance with the information from the database **(an automatic process performed by the application running in the UE, wherein said data are extracted (by a request) from the USIM (storage) – Col. 10, lines 27-29)**.

wherein the processing occurs in accordance with the information from the database if no user preference has been indicated for the known contact addresses (**an automatic process performed by the application running in the UE, wherein said data are extracted from the USIM containing in said UE -- Col. 10, lines 27-29).**

With respect to claim 1, Herrero is silent in terms of "*said information indicating if said request is to be forked in parallel or sequentially*"

Requena teaches that is well known to utilize information indicating if said request is to be forked in parallel or sequentially **(the OLS may determine whether to convert "im:" into "sip:" or "wv:" before forwarding the message to the destination network. This may be performed sequentially, in parallel, or using**

both sequential and parallel operations – Col. 13, lines 28-32; Fig. 6, unit 610 -- the

OLS can sequentially and/or simultaneously send multiple outgoing messages,

one for each of the multiple addresses).

It would have been obvious to one ordinary skill in the art to modify's Herrero's

invention to offers other advantages over the prior art approaches. In addition, in routing

SIP messages through a UMTS or other SIP-enabled network, location services such

as DNS or ENUM are typically using DNS or ENUM queries for obtaining the address of

the next hop SIP server. This function is often implemented in the Serving-CSCF (S-

CSCF) according to 3GPP terminology and specifications. Once-the message is

forwarded to the next hop in the destination network, the message is sent to the

Interrogating-CSCF (I-CSCF) that will take care of finding where the user is located

within the local domain. However, SIP and other protocols may support multiple address

schemes to be included in the messages, such as SIP, secure SIP, telephony, instant

messaging, presence, etc. The determination of which hop is the next hop in the

transmission of the message may be difficult, particularly where the location service

provided multiple possible address schemes in response to a query, as taught by

Requena (Col. 1-2).

However, Requena is silent in terms of "*wherein the processing occurs in accordance*

with the information from the database if no user preference has been indicated for the

known contact addresses, the user preference indicating if a request is to be forked in

parallel or sequentially."

Maiocco teaches that it is well known to have system wherein the processing occurs in accordance with the information from the database if no user preference has been indicated for the known contact addresses, the user preference indicating if a request is to be forked in parallel or sequentially (col. 9, lines 25-49). In order to make the system more efficient.

It would have been obvious to one ordinary skill in the art when the invention was made to modify Requena's invention by utilizing a multithreaded process meaning that each customer device is polled in parallel, not serially. Each forked process queries the database again to determine that customer's IP address and Object Identification (OID) information. OID is defined by the SNMP standards. CSP then uses the C module built into the UCD SNMP package (such as made available on the Internet by the University of California-Davis) to make an SNMP query to each of the customer's devices with the corresponding IP address and OID. All of the returned raw data is then written to the database in the event_log data table, along with a timestamp, which denotes the current time. If a customer device does not return any valid data, a value of -1 is written to the database with the same timestamp. In other embodiments, rather than sending out many individual SNMP get requests (one for each SNMP-suite metric), the system includes all OIDs pertaining to one device in each SNMP get request, i.e., SNMP get bulk requests, as taught by Maiocco.

Ohsawa Further teaches parallel processing or forking **(Multi-thread execution method and parallel processor system – Fig. 1-14).**

It would have been obvious to one ordinary skill in the art when the invention was made
to modify Maiocco's invention by utilizing a parallel processor system for executing a
plurality of threads obtained by dividing a single program in parallel to each other by a
plurality of thread execution units, the respective thread execution units are connected
to each other by a bus to enable forking of a slave thread from an individual thread
execution unit into other arbitrary thread execution unit. The respective thread execution
units are managed in three states, a free state where fork is possible, a busy state
where a thread is being executed and a term state where a thread being terminated and
yet to be settled exists. At the time of forking of a new thread, when there exists no
thread execution unit at the free state, a thread that the thread execution unit at the term
state has is merged into its immediately succeeding slave thread to bring the thread
execution unit in question to the free state and conduct forking of a new thread, as
taught by Ohsawa.

Regarding claim 4, Herrero, Requena, Maiocco and Ohsawa together taught the
method as in claim 1 above. Herrero further teaches wherein the registering comprises
registering the plurality of contact addresses for the user in the controller entity which is
provided in association with a multimedia network" **(Fig. 6, Subscriber Data (SD)
register).**

Regarding claim 5, Herrero, Requena, Maiocco and Ohsawa together taught the
method as in claim 1 above. Herrero further teaches wherein the registering comprises

the user registering the plurality of contact addresses in at least two different

communication networks (**Method for supporting multiple registration from the**

same user requested from different terminals in a telecommunications system --

Abstract, lines 1-3) .

Regarding claim 7, Herrero, Requena, Maiocco and Ohsawa together taught the

method as in claim 1 above. Herrero further teaches wherein the querying comprises

applying a query to a sub-group of the known contact addresses (**Fig. 1 (Public user**

identity 1 (e.g.: SIP URL), Public user identity 2 (e.g.: E.164), Public user identity

3).

Regarding claim 8, Herrero, Requena, Maiocco and Ohsawa together taught the

method as in claim 1 above, as described above. Herrero further teaches wherein

indicating and assigning handling instructions for at least one contact address

independently during registration of the at least one contact address (**Fig. 5 -- UE1-UE3**

indicates how the users are registering through the IMS network as well as

handling instruction for at least one contact address).

Regarding claim 9, Herrero, Requena, Maiocco and Ohsawa together taught the

method as in claim 1 above. Herrero further teaches wherein the indicating and

assigning comprises indicating and handling the handling instructions for the at least

one contact address by either the user or the database (**Fig. 5 -- UE1-UE3 indicates**

how the users are registering through the IMS network as well as handling

instruction for at least one contact address).

Claims 10, 11, 20 & 22 have the similar limitation as of claim 1; therefore, it's rejected

under the same rationale as in claim 1.

Regarding claim 21, Herrero and Requena together taught the method as in claim 1

above. Herrero further teaches wherein said querying comprises querying the database

in use information storage which stores a user profile **(Said query comprises both**

data: the public-ID and private –ID received in the REGISTER, and will be used by

the HSS to find out the corresponding SD register of said user -- Col. 10, lines 43-

46; Fig. 3 (USER-N, OTHER DATA (User profile data ….)).

Claim 23-30 list all the same elements of **claim 1, 4-5, 7-9**, but in storage system rather

than method form. Therefore, the supporting rationale of the rejection to **claim 1, 4-5,**

7-9 applies equally as well to **claim 23-30**.

Response to Amendment

Applicant's arguments with respect to claim(s) 1, 4-5, 7-11, 20-30 have been considered

but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sulaiman Nooristany whose telephone number is (571) 270-1929. The examiner can normally be reached on M-F from 9 to 5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu, can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR: Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR system,

contact the Electronic Business Center (EBC) at 866-217-9197.

Sulaiman Nooristany 03/05/2009

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2446